

REMARKS

The Applicants have given careful consideration to the Office Action mailed February 28, 2003. In view of the amendments and arguments made herein, re-examination and reconsideration of the application are respectfully requested.

The Office Action

In the Office Action mailed February 28, 2003:

Claims 1-57 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,583,925 to Bernstein ("Bernstein") in view of U.S. Patent No. 5,206,901 to Harlow, et al. ("Harlow").

The Present Application

The attention of the Examiner is directed to Applicants' Response A, filed December 4, 2002, for a brief review of the subject matter of the present application.

The Cited References

The Applicants provided a brief summary of the primary reference of the Office Action to Bernstein in Applicants' Response A. Briefly, Bernstein discloses an automatic three-way calling feature for a telecommunication system wherein a calling party dials an 800 number to access an adjunct 300 to a telecommunications network. The adjunct must request the identity (ANI) of the calling station. If the calling station is a subscriber to conference calling services, the adjunct provides calling station with a second dial tone. At that point, the subscriber may enter (dial) speed dial codes associated with telephone numbers assigned to station sets that will be involved in the conference connection (column 3, line 66 – column 4, line 14). An ANI is not a primary directory number. The telephone numbers of Bernstein are associated with an ANI and not a primary directory number. A user of the system of Bernstein must enter speed dial codes. In contrast, in the system of the present application, simply dialing the primary directory number is sufficient (from the point of view of the user) to establish the conference connections.

Harlow discloses a system and method for alerting a plurality of telephones in response to an incoming call to a destination directory number. A handling switch sends a query to a centralized database requesting routing instructions, and the database returns a directory number to the plurality of telephones to be alerted. The handling switch is notified as to which alerted telephone has an off-hook appearance first, and the incoming call is routed to that telephone (Abstract). Harlow is unconcerned with

speed dial codes to be
 ANI is irrelevant
 Examiner never

conference calling and is, therefore, non-analogous art. One looking to solve problems associated with conference calling would not look to Harlow.

It is submitted that the embodiments described by Harlow are all directed at connecting an incoming call to one of a plurality of phones. Once one of the alerted telephones is answered, the other call or calls is dropped (column 2, line 53; column 3, lines 2-5, lines 15-17; column 5, lines 16-19, lines 49-54; column 6, lines 13-19; column 7, lines 1-9 and lines 33-48). Harlow is simply directed at connecting an incoming call to a person, such as a doctor, a business executive, an attorney, etc., who have a strong need to be reached wherever they are, and whom have a number of telephones, such as business phone, a home phone and a cellular phone (column 1, lines 13-20) and is unrelated to conference calling.

The Claims are Not Obvious

Claims 1-57 were rejected under 35 U.S.C. §103(a) as being unpatentable over Bernstein in view of Harlow.

In rejecting **claim 1**, the Office Action admits that Bernstein does not disclose determining a plurality of secondary numbers associated with a primary directory number. The Office Action also admits that Bernstein does not disclose monitoring answering of plurality of outgoing call legs. The Office Action relies on Harlow for this disclosure. However, as explained above, Harlow is not analogous art and is not fairly combined with Bernstein.

Furthermore, even if Harlow is fairly combined with Bernstein, Harlow does not disclose monitoring answering of the plurality of outgoing call legs. In support of the assertion that Harlow does disclose monitoring answering of the plurality of outgoing call legs, the Office Action directs the attention of the Applicants to column 2, lines 49-53. However, those lines recite that when one of the lines reports off hook, it is reported to the local switching system, and the incoming call is routed over a trunk to the local switching system that reported the off hook. The other call (or calls) is dropped. It is respectfully submitted that if the other call (or calls) is dropped, then Harlow does not disclose or suggest monitoring answering of a plurality of outgoing call legs, but merely discloses monitoring answering of a single outgoing call leg.

For the foregoing reasons, **claim 1**, as well as **claims 2-17** which depend therefrom, is unanticipated and unobvious in light of Bernstein and Harlow taken alone or in any combination.

In rejecting **claims 2, 19 and 36**, the Office Action asserts that Bernstein discloses determining the directory numbers are configured for a conference mode. In support of this assertion, the Office Action directs the attention of the Applicants to column 3, line 67 – column 4, line 15. However, this portion of Bernstein describes an adjunct **300** determining whether or not a caller's ANI is stored at an indexed location.

If the ANI is stored in the indexed location, the adjunct **300** assumes that the caller is a subscriber of the service of Bernstein. At this point the subscriber may enter (dial) speed dial codes associated with telephone numbers assigned to the station sets that will be involved in the conference connection. It is respectfully submitted that this is not a disclosure of determining if directory numbers are configured for a conference mode, as such a determination is disclosed and claimed in the present application. For example, Bernstein does not disclose or suggest examining the state of a conference mode flag or parameter stored in the database in association with a directory number. The entering of speed dial codes is not a configuration as the term is defined and claimed in the present application.

For the foregoing reasons, **claims 2, 19 and 36** are unanticipated and unobvious in light of Bernstein and Harlow taken alone or in any combination.

In rejecting **claim 3** (and **claims 20 and 37**), the Office Action admits that Bernstein does not disclose continuing to alert an unanswered outgoing call leg, of the plurality of outgoing call legs, until a predetermined period of time has elapsed. The Office Action also admits that Harlow discloses alerting applied to lines associated with primary and secondary directory numbers until one of the lines reports off hook. It is respectfully submitted that this is an admission that Harlow is unconcerned with conference calling. For that reason, Harlow is non-analogous art and is not fairly combined with Bernstein against the claims of the present application.

Furthermore, since Harlow discloses dropping unanswered calls as soon as one of the lines reports off hook, Harlow does not disclose or suggest continuing to alert an unanswered outgoing call leg until a predetermined period of time has elapsed.

Additionally, the Office Action simply asserts that it would be obvious to stop alerting after a predetermined period of time has expired. However, the Applicants respectfully disagree. In fact, it is respectfully submitted that Bernstein teaches away from stopping an alert after a predetermined period of time has expired. Instead, Bernstein discloses that a station is alerted until the calling subscriber terminates the call (FIG. 6, column 6, line 63 – column 7, line 6). The 50 milliseconds referred to in Bernstein is a time for re-checking to see if the calling subscriber terminated the call and not a time period for automatically terminating a call. Clearly, 50 milliseconds is not even long enough to alert a station with one ring.

For the foregoing reasons, **claims 3, 20 and 37** are unanticipated and unobvious in light of Bernstein and Harlow taken alone or in any combination.

In rejecting **claim 4** (and **claims 6, 21, 23, 38 and 40**), the Office Action asserts that Bernstein discloses that when a predetermined period of time has elapsed, releasing any outgoing call leg, of the plurality of outgoing call legs, which has remained unanswered. In support of this assertion, the Office Action directs the attention of the Applicants to column 7, lines 2-5, and FIG. 6, reference numerals 404-16 and 404-18.

However, this assertion is direct contradiction to the admission made in the rejection regarding **claims 3, 20 and 37**, that Bernstein does not disclose continuing to alert an unanswered outgoing call leg, of the plurality of outgoing call legs, until a predetermined period of time has elapsed. Furthermore, as explained in Applicants' Response A in regard to the same rejection and assertion, the referenced portions of Bernstein disclose that alerting continues until a message indicating that the calling subscriber terminated the call is received. Bernstein does not disclose or suggest releasing an outgoing call leg when a predetermined period of time has elapsed. Indeed, as explained above, Bernstein teaches away from that.

For the foregoing additional reasons, **claims 4, 6, 21, 23, 38 and 40** are unanticipated and unobvious in light of Bernstein and Harlow taken alone or in any combination.

In rejecting **claims 5, 22 and 39**, the Office Action repeated the rejection made in the first Office Action and referred to the reasons for rejection applied to **claim 1**. However, as explained in Applicants' Response A, **claims 5, 22 and 39** recite a second predetermined period of time in processing and routing a second outgoing call leg to a corresponding secondary directory number associated with a previously unanswered outgoing call leg. It is respectfully submitted that the reasons given for rejecting **claim 1** do not refer to a second predetermined time period or processing and routing a second outgoing call leg to a corresponding second directory number associated with the previously unanswered outgoing call leg. Furthermore, neither Bernstein nor Harlow disclose or suggest a second predetermined period of time nor processing and routing a second outgoing call leg to a corresponding second directory number associated with the previously unanswered call leg. Review and reconsideration and/or clarification are respectfully requested with regard to the rejection of **claims 5, 22 and 39**.

It is respectfully submitted that **claims 5, 22 and 39** are unanticipated and unobvious in light of Bernstein and Harlow taken alone or in any combination.

In rejecting **claims 7, 24 and 41**, the Office Action asserts that Bernstein discloses the predetermined period of time is determined from a no-answer time parameter. In support of this assertion, the attention of the Applicants is directed to column 7, lines 2-4. However, this assertion is once again in direct contradiction to the admission of the Office Action made regarding **claims 3, 20 and 37** that Bernstein does not disclose continuing to alert an unanswered outgoing call leg, of the plurality of outgoing call legs, until a predetermined period of time has elapsed. As explained above and in Applicants' Response A, column 7, lines 2-4, of Bernstein, cited by the Office Action, refer to a predetermined period of time, e.g., 50 milliseconds, which is a time for rechecking if the calling subscriber terminated the call and not a time period for automatically terminating a call leg. As pointed out above, 50 milliseconds (one 200th of a second) is not even long enough to alert a station with one ring. For the foregoing

reasons, **claims 7, 24 and 41** are unanticipated and unobvious in light of Bernstein and Harlow taken alone or in any combination.

In rejecting **claim 18**, the Office Action referred to the same reasons as discussed with respect to **claim 1**. Additionally, the Office Action asserted that Bernstein discloses a database having stored in a memory a plurality of directory numbers. In support of the latter assertion, the Office Action directed the attention of the Applicants to FIG. 1, reference numeral 225, and column 2, line 63 – column 3, line 3. As explained in Applicants' Response A regarding the same rejection and the same assertion, reference numeral 225 references an ordinary network control point. Column 2, line 63 – column 3, line 3, describe how an 800 number is translated into a telephone number associated with an adjunct **300** and how call routing proceeds based on that translation. Bernstein discloses secondary directory numbers associated with an automatic identification number (ANI) and speed dial codes. As explained above, an ANI is not a primary directory number as disclosed and claimed in the present application.

For the foregoing reasons, as well as reasons similar to those submitted in support of **claim 1**, **claim 18**, as well as **claims 19-34** which depend therefrom, is unanticipated and unobvious in light of Bernstein and Harlow taken alone or in any combination.

Additionally, **claim 34** recites a mobile switching center. The Office Action admits that Bernstein does not disclose a mobile switching center and relies on Harlow for such disclosure. However, as explained above, Harlow is not concerned with conferencing services. Therefore, Harlow is not analogous art and is not fairly cited against the claims of the present application.

For the foregoing additional reasons, **claim 34** is unanticipated and unobvious in light of Bernstein and Harlow taken alone or in any combination.

In repeating the rejection of **claim 35** first made in the first Office Action, the present Office Action asserts that Bernstein discloses, among other things, a network interface for reception of an incoming call leg designating a primary directory number, and a memory storing a plurality of secondary directory numbers associated with the primary directory number. As explained above, and as admitted in the present Office Action in reference to **claim 1**, Bernstein does not disclose determining a plurality of secondary directory numbers associated with the primary directory number. Additionally, arguments similar to those submitted in support of **claim 1** are submitted in support of **claim 35**.

For the foregoing reasons, **claim 35**, as well as **claims 36-49** which depend therefrom, is unanticipated and unobvious in light of Bernstein and Harlow taken alone or in any combination.

In rejecting **claims 8-10, 25-27 and 42-44**, the Office Action referred to the same reasons as those cited in reference to **claim 1**. **Claims 8-10, 25-27 and 42-44** depend from **claims 1, 18 and 35**, respectively, and are unanticipated and unobvious for that reason.

Additionally, **claims 9, 26 and 43** are related to concurrently connecting all answered outgoing call legs to the incoming call leg. It is respectfully submitted that Bernstein is silent with regard to concurrently connecting all answered outgoing call legs.

For this additional reason, **claims 9, 26 and 43** are unanticipated and unobvious in light of Bernstein and Harlow taken alone or in any combination.

Claims 10, 27 and 44 are related to connecting the answered outgoing call leg and the incoming call leg to a conference bridge. It is respectfully submitted that Bernstein is silent with regard to a conferencing bridge.

For this additional reason, **claims 10, 27 and 44** are unanticipated and unobvious in light of Bernstein and Harlow taken alone or in any combination.

In rejecting **claims 12, 13, 28, 29, 45 and 46**, the Office Action refers to the same reasons as discussed with respect to **claim 1**. In this regard, arguments similar to those submitted in support of **claim 1** are submitted in support of **claims 12, 13, 28, 29, 45 and 46**. Additionally, the Office Action asserts that Bernstein discloses directory numbers and a conference mode designation are predefined and stored in a database. In support of this assertion, the Office Action directs the attention of the Applicants to FIG. 1, reference numeral 225. However, reference numeral 225 is simply a reference to a network control point. Reference numeral 225 is unassociated with a conference mode designation being predefined and stored in a database. Bernstein simply does not disclose or suggest a parameter in a database indicating that a multiple leg communication session is to be a conference session (page 10, line 31 – page 11, line 2) or that a set of secondary directory numbers should or should not be included in a multi-leg conference call (page 13, lines 10-23; page 19, lines 1-27).

For the foregoing reasons, **claims 12, 13, 28, 29, 45 and 46** are unanticipated and unobvious in light of Bernstein and Harlow taken alone or in any combination.

In rejecting **claim 14**, the Office Action again asserts that Bernstein discloses determining a plurality of directory numbers is performed by a database query designating the primary directory number. In support of this assertion, the Office Action directs the attention of the Applicants to column 1, lines 36-39. However, as explained in Applicants' Response A, column 1, lines 36-39, disclose a caller establishing an N-way conference call by entering a sequence of speed dial codes respectively associated with the telephone numbers of the conferees that will be involved in the conference call, rather than entering each telephone number. It is respectfully submitted that this is not

a disclosure of determining a plurality of directory numbers is performed by a database query designating the primary directory number.

For the foregoing additional reasons, **claim 14** is unanticipated and unobvious in light of Bernstein and Harlow taken alone or in any combination.

In rejecting **claims 16, 31 and 48**, the Office Action repeats the assertion from the first Office Action that Bernstein discloses terminating the multiple leg telecommunications conference upon a termination of a penultimate call leg remaining from a plurality of call legs from the multiple leg telecommunications conference session. In support of this assertion, the Office Action directs the attention of the Applicants to column 7, lines 12-19. However, the referenced section describes responding to the subscriber terminating the call connection by hanging up. Then the program terminates all of the connections associated with the conference connection by sending appropriate instructions to an associated toll switch via a signaling channel. The referenced section does not disclose or suggest terminating a multiple leg telecommunications conference session upon a penultimate call leg being terminated.

For the foregoing additional reasons, **claims 16, 31 and 48** are unanticipated and unobvious in light of Bernstein and Harlow taken alone or in any combination.

Claims 17, 32 and 49 recite differentially processing and routing each outgoing call leg. In rejecting **claims 17, 32 and 49**, the Office Action admits that Bernstein does not disclose concurrent alerting of a corresponding plurality of outgoing call legs. However, the Office Action asserts that Harlow discloses concurrent alerting to a plurality of outgoing call legs. In support of this assertion, the Office Action directs the attention of the Applicants to column 6, lines 13-15, of Harlow. However, this portion of Harlow discloses that simultaneously (with the placement of an outgoing telephone call to a cellular switching system **130**) switching system **120** applies ringing to telephone **122** and monitors trunk **144** for answer supervision. It is respectfully submitted that this is not a disclosure of concurrent alerting. Furthermore, it is not a disclosure of differentially processing and routing each outgoing call leg. If the cellular telephone **136** and telephone **122** were concurrently alerted, then both phones would begin to ring or alert at the same time. However, it is submitted that routing of a cellular call takes longer than does the application of ringing to telephone **122**. Therefore, even though alerting of telephone **122** occurs simultaneously with the placing of an outgoing telephone call to cellular switching system **130**, cell phone **136** and telephone **122** do not begin ringing at the same time. Therefore, Harlow does not disclose or suggest concurrent alerting.

Additionally, even if Harlow does disclose or suggest concurrent alerting, **claims 17, 32 and 49** claim differentially processing and routing outgoing call legs. In differential processing and routing, processing and routing may be delayed according to each secondary directory number's respective timing delay parameter (page 11, lines 2-

12; page 13, lines 23-29). Neither Bernstein nor Harlow disclose or suggest differentially processing and routing each outgoing call leg.

For the foregoing additional reasons, **claims 17, 32 and 49** are unanticipated and unobvious in light of Bernstein and Harlow taken alone or in any combination.

In rejecting **claim 50**, the Office Action admits that Bernstein does not disclose a mobile communication conferencing system. Instead, the Office Action asserts that Harlow discloses a mobile switching center having an interface. However, Harlow does not disclose or suggest a mobile switching center having an interface for determining whether the pilot directory number and its associated plurality of secondary directory numbers are configured for a conference mode, and when configured for the conference mode, for processing and routing an outgoing call leg associated with each secondary directory number to form a plurality of outgoing call legs, the mobile switching center including instructions to monitor answering of the plurality of outgoing call legs.

For the foregoing reasons, **claim 50**, as well as **claims 51-57** which depend therefrom, is unanticipated and unobvious in light of Bernstein and Harlow taken alone or in any combination.

Additionally, the Office Action asserts that a conference bridge coupled to a mobile switching center is simply well known in the art. The Applicants traverse this assertion.

Claims 51-56 were rejected for the same reasons as discussed with respect to **claims 3-5, 13 and 15-17**, respectively. Arguments similar to those submitted in support of **claims 3, 4 and 5** are submitted in support of **claims 51-53**, respectively. Arguments similar to those submitted in support of **claims 15, 16 and 17** are submitted in support of **claims 54, 55 and 56**, respectively.

For the foregoing additional reasons, **claims 51-56** are unanticipated and unobvious in light of Bernstein and Harlow taken alone or in any combination.

In rejecting **claim 57**, the Office Action asserts that the use of ANSI-41 protocol is obvious at least in mobile communications. However, **claim 57** recites the home location register transmits a LocationRequest RETURN RESULT containing a list of each secondary directory number, the conference parameter and corresponding routing, answering, and terminating parameters for each secondary directory number. It is respectfully submitted that, if nothing else, it is not obvious to transmit a LocationRequest RETURN RESULT including the conference parameter.

For the foregoing additional reason, **claim 57** is unanticipated and unobvious in light of Bernstein and Harlow taken alone or in any combination.

Telephone Interview

In the interests of advancing this application to issue the Applicant(s) respectfully request that the Examiner telephone the undersigned to discuss the foregoing or any suggestions that the Examiner may have to place the case in condition for allowance.

CONCLUSION

Claims 1-57 remain in the application. For the foregoing reasons, the case is in condition for allowance. Accordingly, an early indication thereof is requested.

Respectfully submitted,

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A handwritten signature in black ink, appearing to read "Joseph D. Dreher", is written over a horizontal line.

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